

MILFORD PLANNING BOARD PUBLIC HEARING
February 23, 2016 Board of Selectmen's Meeting Room, 6:30 PM

Members Present:

Chris Beer, Chairman
Tim Finan
Janet Langell
Veerall Bharucha, Alternate member
Susan Robinson, Alternate member
Doug Knott, Alternate member
Kevin Frederico, BOS representative

Staff:

Shirley Wilson, Recording Secretary
David Bosquet, Videographer

Excused:

Paul Amato

SCENIC ROAD PUBLIC HEARING:

1. In accordance with NH RSA 231:158, the Milford Planning Board will hold a Public Hearing at 6:30pm in the Board of Selectmen's meeting room at the Town Hall for **Eversource Energy** for tree trimming and removal, as part of the annual maintenance program, on the following scenic roads: Ball Hill Rd, Emerson Rd, Federal Hill Rd, Foster Rd, Jennison Rd, Joslin Rd, Mason Rd, Melendy Rd, Mile Slip Rd, North River Rd, Osgood Rd, Ponemah Hill Rd, Ruonala Rd, Savage Rd and Young Rd.

MINUTES:

2. Approval of minutes from 1/19/16, and 1/25/16.

NEW BUSINESS:

3. **Bradcore Holdings, LLC – NH Rte 13 South– Map 48, Lot 9:** Public Hearing for a major site plan to construct a 2,837SF proposed addition to the existing facility and a waiver request from Milford Development Regulations, Article VI, Section 6.08 *Landscaping Standards*. (New application – Fieldstone Land Consultants, PLLC)

Chairman Beer called the meeting to order at 6:30PM, introduced the Board and staff and explained the ground rules for the public hearing.

SCENIC ROAD PUBLIC HEARING:

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Chairman Beer read the notice of hearing into the record and recognized:
Brian Salas, Arborist for Eversource Energy

B. Salas presented a list, dated 2/16/16, of trees to be removed and a map showing the locations of those trees. The hazardous trees have been identified and marked with ribbon and we are seeking the Board's permission to do the work with the landowner's consent. We won't take the trees until we have directly communicated with the landowners and obtained their permission. There will be trimming and pruning along all the roads listed in the original request which was duly noticed and only the trees listed as hazardous will be removed. We will not disturb any stonewalls.

D. Knott inquired if brush included vines and bittersweet that is becoming a problem. B. Salas replied that if bittersweet is impacting the poles, it is cut at the ground and hopefully kept in check; we don't tend to pull it at the pole or the tree. D. Knott then asked what happens if the landowner doesn't want the tree taken down. B. Salas said we will try to convince the owner of the hazard, but ultimately the tree will stay. We have to obtain the owners' permission for pruning as well as the removal; however, the Town can take action if there is a serious hazard for the road. There is also an avenue by way of petitioning the Public Utilities Commission, but we don't use that very often. Most people are very understanding. J. Langdell inquired if the brush work has been started on Osgood Rd. B. Salas explained that brush is exempt by RSA but a large tree was recently removed out there.

B. Salas added that if your town has a tree on a scenic road we have no problem helping them remove the tree, but we can only do that with this Board's approval, so we ask that towns include extra wording in their motions to accommodate that. Also, if any constituents have a tree that they would like to have removed without cost to them, they could communicate with the road agent or DPW director, who could then approve that request and forward to us.

K. Federico asked how the owners are notified. B. Salas replied that RSA mandates we send a card by mail. Once received, the owner has forty-five (45) days to respond; after that time period, it is implied consent. If we are removing a tree, we want to talk directly with that customer in addition to the card.

Chairman Beer opened the hearing to the public; there being none, the public portion of the meeting was closed.

J. Langdell made a motion to grant approval for tree trimming and the removal of the requested trees on the list and any other tree that would be deemed hazardous by the DPW Director. D. Knott seconded and all in favor. The motion carried unanimously by a vote of 7-0-0.

MINUTES:

J. Langdell made a motion to approve the minutes from 1/19/16. K. Federico seconded and all else in favor. Motion carried unanimously by a vote of 7-0-0. J. Langdell made a motion to approve the minutes from 1/25/16. D. Knott seconded, V. Bharucha, K. Federico, and T. Finan abstained; all else in favor. Motion carried by a vote of 4-0-3.

NEW BUSINESS:

Bradcore Holdings, LLC – NH Rte 13 South– Map 48, Lot 9: Public Hearing for a major site plan to construct a 2,837SF proposed addition to the existing facility and a waiver request from Milford Development Regulations, Article VI, Section 6.08 *Landscaping Standards*. (New application – Fieldstone Land Consultants, PLLC)

Abutters present:

Kent Chappell, Chappell Properties of NH, LLC and Chappell Properties, LLC

Chairman Beer recognized:

Chad Branon, Fieldstone Land Consultants, PLLC

Corey Chappell, Bradcore Holdings, LLC

Chairman Beer read the notice into the record and verified that the application was complete. J. Langdell made a motion to accept the application. K. Federico seconded and all in favor. J. Langdell made a motion that the application did not pose potential regional impact. T. Finan seconded and all in favor. S. Wilson read the abutters list into the record.

C. Branon presented plans dated 1/25/16 and described the existing site conditions. There is 530 linear feet of frontage for the 5.17 acre parcel in the ICI District. The existing main facility consists of offices, retail space, sales and a service department and is surrounded by landscaping, parking, display areas and accessory structures. The site does provide for adequate pedestrian and vehicular circulation as well as ample parking. The proposed addition off the north side is to better organize the business operations and to improve site security. The small engine service department will be relocated to the lower level of the addition and will be adjacent to the small engine sales department. The second level of the addition will consist of an outside gated display area which can be secured after business hours. The construction of the addition and associated improvements will lie entirely within the existing improved area which is currently used for parking, access, and storage, thereby there will be no impact to existing stormwater flows or patterns. The proposed improvements are to remove and stockpile the existing concrete block retaining wall to improve site access and redefine the parking areas, construct five new parking spaces on the north side of the proposed addition, reworking a section of closed drainage, and modifying the site lighting and grading around the proposed addition. The existing gravel display area will not be modified and the limits of the gravel area will remain as is. This project will not alter the two existing state curb cuts on NH Rte 13 South and all internal traffic patterns will be maintained.

C. Branon discussed the major items from the staff memo dated 2/18/16:

On-site parking

We met with Community Development staff when we started this process and it was our understanding that we would only focus on the proposed addition and the requirements for that addition, so we did not look at parking compliance as a whole for the facility. In discussion with the Community Development Director this week, we have agreed to modify our plan to depict the additional parking located on the east side. This plan shows forty-nine (49) existing spaces plus the five (5) new which will comply with the requirements strictly for the addition. We can add the twenty plus spaces in back to make this plan consistent with the 8/10/2005 plan and thereby show that the site will conform as a whole. The parking requirement table will be included; we will take the 2005 parking requirements, which are the same, and demonstrate the building square footage, usage and requirements on the proposed site plan that will show it complies with the requirements.

J. Langdell noted that the parking table was changed in 2011 so there will be a slight decrease in required spaces, which will be to your benefit. The old plan showed seventy-three (73) spaces with sixty-eight (68) required and this new plan shows fifty-four (54). C. Branon reviewed the parking areas that exist but are not shown and reiterated that we only focused on the addition, not the whole site as per the meeting with Community Development. After plan submittal, Lincoln Daley reviewed and compared all the plans. He then made a request and asked us to show the parking and to add some notes on the new plan that show the site as a whole is compliant from a parking standpoint. We don't have a problem doing that.

J. Langdell stated that the current plan references "general mixed use and general storefront commerce" and bases the parking calculations at 1.5 spaces. Where that information came from when the uses presented were office space, storage space, and retail space. C. Branon clarified that he said the existing building contained those uses and again, we focused on just on the addition from the parking standpoint. The addition will only be a service area and will not have offices or retail. We don't believe there are any parking issues on site which has operated adequately for many years and we are technically only re-organizing the uses. J. Langdell read from Milford Development Regulations, Section 6.05.4 *Table of Off-Street Parking* and said this could be worked out with

staff. C. Branon said we will work with staff and will quantify the building space and will certainly call out that additional parking is needed but that there is ample parking on site to accommodate all the uses. J. Langdell added that it is also important for a plan that has had several iterations, to be as accurate as possible when signed. It is great to see businesses that are thriving throughout generations, so thank you for your patience.

Landscaping:

J. Langdell referenced the approved site plan dated 8/10/2005 and said there is a notation from Sarah Marchant, former Town Planner at the time the securities were released in 2009, stating *-all landscaping in front of overhanging porch display area move to along retaining wall. -no issues with current layout.* At that point there was landscaping along the retaining wall and trees along the repair area. C. Branon said currently there is just vegetation, loam and seed by the retaining wall and the trees have been removed for practical reasons. D. Knott suggested that the proposed plan be updated to reflect the current landscaping.

C. Branon read the waiver request from Milford Development Regulations, Article VI, Section 6.08. He then added that we would be willing to put in some shrubs in front of the proposed addition, in the grassed area. We would put eight (8) shrubs in the forty (40) ft area, per the regulations of 1 shrub for every 5ft, and would revise the plan accordingly. With that being done, we technically wouldn't require a waiver since we don't have any buffering requirements based on the neighboring uses and location. Again, this is for the addition only, as we are not modifying anything else on the site.

D. Knott said he'd rather see the trees, or something smaller, restored on the other end because that would have a better impact than in front of the addition and it would restore the site to the 2005 plan. The applicant would be able to do less and have more of an impact. J. Langdell said that area would have more visibility but due to the topography and the improvements from the addition, either area or both would work. C. Beer stated that the applicant can put landscaping in along the addition and withdraw the waiver or replace the trees with appropriately selected shrubs along the southwest side of the building. C. Branon said our preference would be to address landscaping associated with the new addition. C. Chappell said the reason we'd like to hold off on doing anything on the southwest side of the building is that we're trying to come up with something that would look nice to dress that area up like a stonewall. We are committed to doing something, but just not sure yet, so if we could get by with what we're proposing we could move forward.

J. Langdell said given the current status of the current landscaping, a minimum of eight (8) shrubs for the addition would be acceptable to the Board and bring us to even par. Clearly there have been changes since 2005 and 2009, including a proposed landscape strip along the road. D. Knott added that ornamental grasses could also be used.

S. Robinson made a motion to accept the withdrawal of the waiver request. T. Finan seconded and all in favor. The motion carried unanimously by a vote of 7-0-0. Vegetation equivalent to eight (8) shrubs will become a condition of approval for the new addition.

Snow storage:

C. Branon described and showed the two locations for snow storage in the northwest corner and in the east area. Both are sufficient distance from any jurisdictional areas; the site has been maintained this way for a long time and we are actually reducing the amount of area to be plowed with this proposed addition and associated vegetation. We will revise the plan to show the storage areas.

J. Langdell noted that the area near Rte 13 is consistent with the 2005 plan but the area in back is actually further back than shown on the previous plan. C. Branon added that the back location is an adequate area to push the snow. He then reviewed wetlands and stated that there is a significant distance between the storage area and the jurisdictional wetland boundary further east. What we're proposing complies with all regulations.

Sprinkler System:

C. Branon stated that his client is actively researching options. We fully understand and accept the recommendation by staff that this be a condition of approval per the staff memo.

C. Beer read email correspondence with Captain Jason Smedick of the Milford Fire Department, dated 2/23/16, regarding the wording for the condition.

K. Chappell stated that when they built the addition in 2005, it was our understanding that the main building, when we got water, would be sprinkled, but not any of the other buildings.

C. Beer then placed a phone call to Captain Smedick to clarify whether the sprinkler system would have to be installed in all the accessory buildings for the entire facility or the main facility. After a brief phone discussion the wording will be as follows: *The applicant must install the sprinkler system in the main facility when they construct the addition, and that the addition will not get inspection sign off until the entire sprinkler system is complete.*

Board comments:

T. Finan inquired about the hatched area on the plan. C. Branon explained that it is currently gravel but may be paved in the future. The addition and improvements will not change the tractor display area and we are maintaining the access and traffic pattern in that area.

J. Langdell inquired about architectural. C. Branon presented plans dated 9/28/15 and further described the architectural elements and the proposed display area. There will be very little change aesthetically; we're basically just better utilizing the terrain. The site has always looked very nice with really nice features and I'm sure this addition will make sure that is maintained.

J. Langdell brought up Conservation Commission comments from the memo dated 2/12/16. C. Branon said we would prefer to not use the wattles. They do stake better to the ground than a silt fence, but this project is located in an existing graveled area they are not really applicable. We will have stone check dams on the inlet of the existing drainage system and would prefer to use the silt fence in this location. I appreciate the comments and do think there is a place for wattles, but not for this project. D. Knott suggested wood chips. C. Branon said all those best management practices can be employed at any time during construction, but this site is very isolated and the area of disturbance is relatively small and it will be less obtrusive to use a silt fence material and can also create a barrier for the construction site. Also, the surface of area to the north of the addition will be grass, so it will kind of function as what the Commission is requesting in item #3; there will be infiltration occurring there but primarily it's to accept the grading. It will drop down to the parking area and the runoff will go into the relocated catch basin.

Chairman Beer opened discussion to the public; there being none, the public portion of the hearing was closed.

S. Wilson added that this project is subject to Police Impact fees and a note should be added to the plan. Also, the name on the abutting parcel 48/19 will need to be corrected, as there are currently two different owners shown.

D. Knott made a motion to grant conditional approval of the application, subject to the following conditions from the staff report dated 2/18/16, that;

1. The plan be revised to provide a parking requirement table with updated terminology and the parking spaces consistent with the approved Site Plan (SP2005-05) for review and approval by Town staff. The parking requirement table shall include existing and proposed structures and uses and demonstrate that minimum parking standards of Section 6.05 of the Milford Development Regulation Standards are met;
2. The plan be revised to show the snow storage areas, as presented at the meeting and to be consistent with the approved Site Plan (SP2005-05) for review and approval by Town staff.
3. Sheet 5 of the plan be revised to insert new Note #1 stating "All water, sewer, road (including parking lot) and drainage work shall be shall be constructed in accordance with the Town of Milford's Water Utilities Department and Public Works Departments standards." and then renumbering the remaining notes accordingly;
4. The plan be revised to reflect the trees that have been removed;

5. The applicant will plant additional vegetation, equivalent to the minimum requirements of Milford Development Regulations Article VI, Section 6.08.6, *Landscaping Along Building Frontages*, for the new addition and that the plan be revised accordingly;
6. The names for abutting parcel 48/19 be corrected;
7. A note be added to the plan stating that As-built plans shall be delivered to the Building Department prior to the issuance of a Certificate of Occupancy.
8. A note be added to the plan stating that the applicant shall design and install the fire suppression system for review and approval by the Fire Department and town Staff; and the applicant must install the fire suppression system in the main facility when they construct the addition, and that the addition will not get inspection sign off until the entire sprinkler system is complete.
9. A note be added to the plan stating that the proposed addition will be subject to Police Impact fees;

V. Bharucha seconded and all in favor. Vote 7-0-0; motion carried unanimously.

OTHER BUSINESS:

Membership:

J. Langdell stated that Judy Plant has resigned from the Board and asked Susan Robinson if she was interested in stepping up. Susan Robinson agreed to become a full member.

J. Langdell made a motion to recommend the appointment of Susan Robinson from alternate member to full member of the Planning Board. V. Bharucha seconded and all in favor. Vote 7-0-0; motion carried unanimously.

Keyes Memorial Park Expansion Committee:

C. Beer stated that the Board of Selectmen has authorized the formation of a Keyes Memorial Park Expansion Committee to evaluate and make recommendations about the recently purchased 127 Elm Street property.

K. Federico explained that the charge was drafted and reviewed by the Selectmen. It has now been sent to this Board as well as the Recreation Commission for review and comment before it's put forward. Once we have input from all the respective committees and boards, we will look for membership on the committee. We are anticipating the committee to run for four to six months.

J. Langdell said that since she just got a copy of the charge today, she would like to make a recommendation that it be distributed to the rest of the Board by email and considered at our next worksession on 3/1/16. That will give us time to discuss what the Planning Board would like to recommend, as a group, and submit comments back to the Selectmen by 3/4/16. Originally when this was being proposed, the conversation was about trying to do some master planning around not just this new five acre piece, but with the entire Keyes Park in mind. Also, the Conservation Commission should also be included for input. The Board members should submit individual feedback to Chris and he will distribute for the worksession.

K. Federico made a motion to adjourn the meeting. T. Finan seconded and all in favor. The meeting was adjourned at 7:50PM.

MINUTES OF THE FEB 23, 2016 PLANNING BOARD PUBLIC HEARING APPROVED MARCH 22, 2016

Motion to approve: J. Langdell

Motion to second: T. Finan